

ANNUAL NOTICE FLYER

This flyer contains important information that every employee of VISN 12 should know. **You are advised to keep this notice handy so that you may refer to it in the future.**

CONTENTS:

Employee Benefits

Employee Express	p. 3
Life Insurance	p. 3
Health Insurance	p. 4
Dental and Vision Insurance	p. 5
Federal Long Term Care Insurance Program	p. 6
Flexible Spending Accounts	p. 6
Thrift Savings Plan	p. 6
TSP Lifecycle Funds	p. 7
TSP Catch-Up Contributions	p. 7
VA Child Care Tuition Assistance Program	p. 7
Transit Benefit Program	p. 9
Disability Insurance/Sick Leave	p. 9
Family and Medical Leave Act	p. 9
Family Friendly Leave Act	p. 10

Employment and Records

Equal Employment Opportunities	p. 11
Job Announcements	p. 11
Employment Verification for Financial Institutions	p. 12
Change of Address	p. 12
Military Deposits	p. 12
Employee Training Records	p. 13
Fair Labor Standards Act	p. 13
Employee Copy of Position Descriptions	p. 14
Job-Related Injuries/Illnesses and Workers' Compensation	p. 14

Employee Conduct

Ethical Conduct	p. 14
Patient Abuse	p. 15
Requirement to Report Violations of Criminal Law	p. 15
Confidentiality of Sensitive Information	p. 15
Compliance and Business Integrity Program	p. 16
Sexual Harassment	p. 16
Workplace Violence Prevention	p. 16

Employee Financial Obligations	p. 17
Political Activity by Federal Employees	p. 17
VA Drug Free Workplace Program	p. 17
Family Members in the Workplace	p. 18
Youth Volunteers at the VA (summer and school breaks)	p. 18
Limited Personal Use of Government Office Equipment	p. 18
Sales and Fundraising Activities	p. 19

Employee Rights and Assistance

Notice of Right to Request Union Representation	p. 20
EEO Discrimination Complaints Procedure	p. 20
The Notification and Federal Employee Antidiscrimination Retaliation (NO FEAR) Act	p. 20
Whistleblower Protections	p. 21
Alternative Dispute Resolution	p. 21
Employee Assistance Program	p. 22
The Child Support Enforcement Program	p. 22
The Uniformed Services Employment and Reemployment Rights Act (USERRA)	p. 22

EMPLOYEE BENEFITS

EMPLOYEE EXPRESS (Formerly Health Revenue Center):

EMPLOYEE EXPRESS is the Department of Veterans' Affairs self-service human resources and payroll system. EMPLOYEE EXPRESS must be used for health insurance (FEHB) and Thrift Savings Plan (TSP) open season changes, and to make TSP catch-up contributions.

EMPLOYEE EXPRESS must also be used for any of the following:

- | | |
|--|--|
| - Address change | - Marital Status |
| - Federal tax withholding (W-4) | - State tax withholding |
| - Earned income tax credit information (W-5) | - Direct deposit for your paycheck |
| - Direct deposit savings allotments | - Savings bonds |
| - To have a previous W-2 reissued | - Salary and employment verifications |
| - PIN change transaction history | - Viewing Leave/Earnings Statement (LES) |

These services **will not** be provided by Human Resources or Payroll; they can be obtained **only** by using **EMPLOYEE EXPRESS**.

To use **EMPLOYEE EXPRESS**, you must either call the **EMPLOYEE EXPRESS** interactive voice response line 1-800-414-5272, or access the **EMPLOYEE EXPRESS** web site on the Internet at <http://vaww.eex.va.gov>. When using either the **EMPLOYEE EXPRESS** toll-free telephone line or **EMPLOYEE EXPRESS** on the Internet, your Social Security Number (SSN) and a Personal Identification Number (PIN) is needed to access your account. If you cannot locate your PIN, please go to the EEX website and click on lost or forgotten pin or call the **EMPLOYEE EXPRESS** toll-free number listed above to have **EMPLOYEE EXPRESS** issue a new PIN to you.

LIFE INSURANCE:

Family enrollment covers the employee's spouse and children/stepchildren up to age 22. It is the **employee's** responsibility to cancel his/her family enrollment if he/she no longer has any eligible family members.

Life insurance enrollment and changes must be made through the local Human Resources office.

Order of Precedence and Designation of Beneficiary

When you die, the Office of Federal Employees' Group Life Insurance (OFEGLI) will pay life insurance benefits in a particular order set by law.

If you did not assign ownership and there is no valid court order on file with your agency or OPM, as appropriate, then OFEGLI will pay:

- First, to the beneficiary(ies) you validly designated;
- Second, if none, to your widow or widower;
- Third, if none of the above, to your child or children and the descendants of any deceased children (a court will usually have to appoint a guardian to receive payment for a minor child);
- Fourth, if none of the above, to your parents in equal shares, or the entire amount to the surviving parent;
- Fifth, if none of the above, to the court-appointed executor or administrator of your estate;

- Sixth, if none of the above, to your other next of kin entitled under the laws of the State where you lived.

If you want benefits paid to someone else or in a different order, you must designate a beneficiary.

COPY THIS NOTICE AND ATTACH IT TO YOUR GROUP LIFE INSURANCE CERTIFICATE:

If my death is caused by accident, the "double indemnity" provision is not automatic. Be sure to file a claim for it **within 20 days**. The Human Resources office where I work will help you. This same rule applies if I am not killed but am dismembered. I might not be in a condition to remember this requirement or to file the required claim within 20 days of the accident. **Reminder:** Family enrollment covers my spouse and my children/stepchildren up to age 22. It is my responsibility to cancel my family enrollment if I no longer have any eligible family members.

HEALTH INSURANCE:

Employees who have children approaching age 22 that are incapable of self-support because of a mental or physical disability are reminded to notify Great Lakes Human Resources Management Service (GLHRMS) at least sixty (60) days prior to the child's 22nd birthday. A child is ineligible for coverage under the employee's health insurance when he/she reaches age 22 unless the insurance carrier is notified that the child is incapable of self-support. The carrier requires that the employing agency request a medical certificate and make a determination as to whether the child is permanently or temporarily incapable of self-support. Temporary continuation of coverage is available to children who reach age 22. They must elect health benefits coverage within 60 days of their birthday. It can be continued for up to 36 months. The cost is the full premium, which is a combination of the government's share plus the employee's. It is the employee's responsibility to cancel family enrollment if he/she no longer has any eligible family members.

There are certain occurrences that permit employees to either elect health insurance, or to change from self only coverage to family coverage, at a time other than the yearly Health Benefits Open Season. Normally, the employee is required to accomplish the election or change within a set period of time from the date of the occurrence. Examples of occurrences which may allow for the election of, or change in, health insurance coverage include, but are not limited to: marriage, birth of a child, divorce, loss of coverage under the spouse's health plan, return to duty after military activation, etc. If you believe that an occurrence as described above has made you eligible to elect or change your health benefits coverage, please contact your Benefits Advisor in GLHRMS as soon as possible after the occurrence, to determine if you are eligible to elect or change your coverage.

Health benefit open enrollment changes must be made through the **EMPLOYEE EXPRESS** interactive voice response system, or **EMPLOYEE EXPRESS** on the Internet. The telephone number for the **EMPLOYEE EXPRESS** line is 1-800-414-5272. The Internet address is <http://vaww.eex.va.gov>. When using either the **EMPLOYEE EXPRESS** toll-free telephone line or **EMPLOYEE EXPRESS** on the Internet, a Personal Identification Number (PIN) is needed to access your account. If you cannot locate your PIN, please go to the EEX website and click on lost or forgotten pin or call the **EMPLOYEE EXPRESS** toll-free number listed above to have **EMPLOYEE EXPRESS** issue a new PIN to you.

The Office of Personnel Management (OPM) has implemented Premium Conversion for Federal employees. Premium Conversion is a tax benefit that permits an employee to allot a portion of salary back to the employer; this is then used to pay the employee's contribution for FEHB coverage. This allotment is made on a pre-tax basis, which means that the money is not subject to Federal Income, Medicare, and Social

Security taxes. Participation in Premium Conversion is automatic and continues automatically. If you do **not** wish to participate in Premium Conversion, you must request and complete a waiver form through **EMPLOYEE EXPRESS**. Waivers may be accepted during the FEHB Open Season **only**, unless the waiver has been timely filed as a result of a qualifying life event. If you are participating in Premium Conversion you will be able to cancel FEHB coverage, or change from self-and-family coverage to self-only coverage **only** during the FEHB Open Season, or if you experience a qualifying life event (i.e., marriage, change in employment status).

REMINDER – You must have been enrolled (or covered as a family member) in a FEHB plan at least **five years before retirement or since your first opportunity to enroll** in order to continue your coverage, without change in benefits or cost, as a retiree.

FEDERAL EMPLOYEES DENTAL AND VISION INSURANCE PROGRAM (FEDVIP):

FEDVIP is a voluntary benefits program that provides supplemental dental and vision insurance coverage. There are no waiting periods, except for orthodontia. Employees may enroll in dental insurance only, vision insurance only, neither, or both.

Who is eligible to Enroll? Federal employees who are eligible for Federal Employees Health Benefits (FEHB) coverage (whether or not enrolled), and annuitants/survivor annuitants/compensationers (regardless of FEHB enrollment) are eligible to enroll. Family member eligibility under FEDVIP is the same as for FEHB. Eligible family members are your:

- Spouse,
- Unmarried dependent child (ren) under age 22 (including an adopted child, stepchild, foster child, and recognized natural child), and
- Child age 22 or over who is incapable of self-support because of a mental or physical disability that existed before the child reached age 22.

What enrollment types are available? The following enrollment types are available:

- Self only, which covers only the enrolled employee or annuitant;
- Self Plus One, which covers the enrolled employee or annuitant plus one eligible family member specified by the enrollee; or
- Self and Family, which covers the enrolled employee or annuitant and all eligible family members.

How do I enroll in FEDVIP? Federal employees must enroll in FEDVIP by going through the benefits portal at <http://www.benefeds.com> or by calling their toll free number at: 1-877-888-3337, TTY 1-877-889-5680.

When can I enroll? Eligible employees will be able to enroll during the annual open season, or after a Qualifying Life Event that permits enrollment outside of open season. New employees will have 60 days to enroll.

FEDERAL LONG TERM CARE INSURANCE PROGRAM:

This is an insurance program that will help pay for chronic, long-term care (such as in a nursing home care or in your own home with the services of an attendant) for individuals who cannot perform one or more activities of daily living, such as getting out of bed, bathing, or dressing, due to accident, injury, or the normal aging process. Although you may be healthy now, who knows what will happen next year, in five years, in twenty years, or beyond. Studies estimate that about one-half of us will need long-term care at some point in our lives. And, you can't count on Medicare or your Federal Employee Health Benefit (FEHB) Plan to pay for it.

For more information on the Federal Long Term Care Insurance Program, go to OPM's Long Term Care web site at <http://www.opm.gov/insure/ltc/index.htm>, or the Long Term Care Partners web site at <http://www.ltcfeds.com>.

FLEXIBLE SPENDING ACCOUNTS (FSA'S):

FSAFEDS is a flexible spending account (FSA) program that can save you money on health and dependent care. An FSA allows you to set funds aside before taxes to pay for a wide range of common expenses. FSAFEDS offers two kinds of flexible spending accounts:

- **Healthcare Flexible Spending Account (HCFSA):** An HCFSA can be used to pay for health care expenses not covered by FEHB or any other insurance. An HCFSA covers eligible health care expenses for you, your spouse, and your dependents.
- **Dependent Care Flexible Spending Account (DCFSA):** DCFSA allow you to be reimbursed on a pre-tax basis for child care or adult dependent care expenses that are necessary to allow you or your spouse to work. You must be able to claim the dependent on your income tax return.

For more information on the Flexible Spending Accounts program, visit the FSAFEDS web site at <http://www.fsafeds.com> or call 1-877-372-3337. On the web site you will find enrollment forms, interactive worksheets to help you estimate your Flexible Spending Account contribution(s) and potential annual tax savings, and more.

THRIFT SAVINGS PLAN:

Thrift Savings Plan (TSP) is a tax-deferred retirement account. The maximum that may be contributed in 2009 is \$16,500. The increase in the maximum contribution amount will be indexed to the annual cost-of-living adjustment referred to in the Federal Tax Code. For purposes of the TSP, the term "elective deferrals" refers to employees' contributions, which are made on a tax-deferred basis.

TSP Open Season periods have been eliminated. Employees may now elect to start, stop, or resume TSP contributions, or to change the amount of TSP contributions, at any time. These changes may be made through the **EMPLOYEE EXPRESS** interactive voice response system, or **EMPLOYEE EXPRESS** on the Internet. The telephone number for the **EMPLOYEE EXPRESS** line is 1-800-414-5272. The Internet address is <http://vaww.eex.va.gov>. When using either the **EMPLOYEE EXPRESS** toll-free telephone line or **EMPLOYEE EXPRESS** on the Internet, a Personal Identification Number (PIN) is needed to access your account. If you cannot locate your PIN, please call the **EMPLOYEE EXPRESS** toll-free number listed above, and **EMPLOYEE EXPRESS** will issue a new PIN to you.

If an employee wants to change the way his/her contributions are allocated or make an inter-fund transfer of money already in the TSP account, he/she must access the TSP web site at <http://www.tsp.gov> or call the Thrift line at 1-504-255-8777. A TSP Personal Identification Number (PIN) is needed to access your account. If you cannot locate your PIN, please call the Thrift line at 1-877-968-3778 to have TSP issue a new PIN to you.

TSP LIFECYCLE FUNDS:

You may now invest in the new lifecycle funds (L Funds). The L Funds are "target asset allocation funds" that will invest only in the five funds previously offered by the TSP: the G, F, C, S, and I Funds. Investment in the L Funds is ideal for individuals who do not have the time, interest, or knowledge to manage their accounts. You select your L fund based on your "time horizon," which is when you will need the money after you leave Federal service. There are five L Funds:

- L 2040 - 2035 and later
- L 2030 - 2025 through 2034
- L 2020 - 2015 through 2024
- L 2010 - 2008 through 2014
- L Income - sooner than 2008, or already receiving monthly payments

You may invest in an L Fund by (1) changing your current contribution allocation (how future contributions are invested); and/ or (2) by completing an interfund transfer to move your existing account balance into the selected L Fund. Contribution allocations and interfund transfers are made directly with the TSP via the TSP Web site at <http://www.tsp.gov> (under Account Access), or by calling the automated Thrift Line at 1-877-968-3778.

TSP CATCH-UP CONTRIBUTIONS:

In addition, eligible participants who are age 50 and older or who may turn age 50 during 2008 may elect to contribute up to an additional \$6,000 in 2009, as long as total contributions for 2009 do not exceed the IRS limit of \$21,000.

To qualify for TSP catch-up contributions, employees must be in a pay status. They must also be contributing the maximum amount of regular TSP contributions, and not be in the 6-month non-contribution period following the receipt of a financial hardship in-service withdrawal.

A catch-up contribution election for one year cannot continue into the following year. If you want to participate in TSP catch-up contributions, you must complete a new catch-up contribution form each year.

You may submit the request by utilizing the Employee Express application <http://www.employeeexpress.com> or by calling 1-800-414-5272.

Additional information regarding TSP catch-up contributions can be found by visiting the TSP Web site at <http://www.tsp.gov/forms/oc03-03.pdf>.

VA CHILD CARE TUITION ASSISTANCE PROGRAM:

Child care tuition assistance is a subsidy available to full-time and part-time employees of the Department of Veterans Affairs (VA) whose total family/household income is \$59,999 or less and who have a child or children age 13 or under (or disabled through age 18) in licensed and/or regulated child care.

For those who qualify, the subsidy can be used with any childcare provider licensed and/or regulated by state and/or local authorities. Although the childcare subsidy will be given in addition to your salary, these funds can still be taxed as income. It is suggested that you consult your tax advisor for a more detailed understanding of how this subsidy will affect you in your situation. The childcare subsidy will not be given to you automatically. To qualify to receive these benefits, you must apply or recertify. You can obtain

details and applications from Great Lakes Human Resource Management Service (GLHRMS), or go on line to the following website: <http://vaww.va.gov/vachildcare/Index.htm>.

Effective in February 2008, there have been program changes to the CCSP. They are as follows:

- Effective February 1, 2008, First Financial Association (FFA) replaced the Federal Employee Education and Assistant Fund (FEEA) as the contractor providing day-to-day administration of the Child Care Subsidy Program.
- To continue participating in the program all CCSP participants **must recertify**. The cut off date for recertifying has been extended indefinitely to ensure all employees have ample opportunity to recertify. You will be notified when a firm cutoff date is established.
- A monthly limitation of payments will be established in the near future and you will be advised to prepare accordingly.
- Participants will be responsible for the timely submission of invoices for payment.
- The VA CCSP Web site, <http://vaww.va.gov/vachildcare/index.htm> has been updated with revised information, including revision to current CCSP forms. These revised forms **must** be used in the recertification process. Use of previous forms in recertification packages will delay eligibility determinations by FFA.

Documents needed for the VA Child Care Subsidy Program are:

- VA Form 0730a, VA Child Care Subsidy Employee Application Form, dated June 2007**;
- VA Form 0730b, Child Care Provider Information (for the Child Care Subsidy Program) dated July 2007**;
- Copy of Provider(s) license and schedule of fees;
- Copy of child(ren)'s birth certificate***;
- Copy of most recent SF-50, Notice of Personnel Action (Get from your assistant in Processing and Records - Hines VA Hospital);
- Copy of last two (2) Earnings and Leave (E&L) Statements; (Use the copies from Employee Express);
- Signed and dated copy of most recent Federal tax return; and
- Copy of most recent W-2 Form(s).
- VA Form 0730f, Verification of Previous Year Child Care Subsidy Payments

** Previous versions of these forms will not be accepted.

*** HR offices will validate that birth certificate(s) contain raised seal or are certified and will photocopy for inclusion in recertification packages.

All VA Child Care Subsidy Applications will be submitted to GLHRMS. The packet will be reviewed for completeness and then forwarded to the First Financial Association (FFA) office, Lithonia, GA. They make the initial determination to approve or disapprove the application. Any questions may be answered by calling toll-free, 1 (800) 453-8151.

TRANSIT BENEFIT PROGRAM:

Effective October 1, 2000, the Department of Veterans Affairs implemented its Transit Benefit Program. The program is designed to improve air quality, reduce traffic congestion, and conserve energy by encouraging employees to commute to work by using mass transit. Employees who use mass transit to commute to work may apply to participate in this program, which provides a transit subsidy to offset the employee's transit cost. NOTE: Only employees whose salary is paid by the VA qualify for the program, and once an individual signs up for the program he/she must use only mass transit to commute to/from work. For more information, or to apply for the program, contact the Transit Benefit Program Coordinator at your facility.

DISABILITY INSURANCE / SICK LEAVE:

The federal government **does not** provide either short-term or long-term disability insurance. From the government's perspective, your sick leave balance **is** your disability insurance. This is why it is so important that employees maintain an adequate sick leave balance, and that they use their accrued sick leave only when they are completely incapacitated for work. Sick leave is a benefit that allows for full payment of salary and benefits in the event of incapacitation for work due to injury, illness, or childbirth, as well as for medical or dental appointments. Sick leave is accrued at the rate of one hour for every twenty hours worked. There is no limit to the amount of sick leave that an employee may accumulate and carry over to the next leave year.

FAMILY AND MEDICAL LEAVE ACT:

The Family and Medical Leave Act (FMLA) of 1993 provide covered federal employees with entitlement to 12 weeks of unpaid leave during any 12-month period for the following purposes:

- The birth of a son or daughter of the employee, and the care of such son or daughter.
- The placement of a child with the employee for adoption or foster care.
- The care of a spouse, son, daughter, or parent of the employee who has a serious health condition.
- A serious health condition of the employee that makes the employee unable to perform the essential functions of his or her position.

Under certain conditions, FMLA leave may be taken intermittently, or the employee may work under a work schedule that is reduced by the number of hours of leave taken as FMLA leave. An employee may elect to substitute appropriate paid leave for any unpaid leave under the FMLA. FMLA leave is in addition to other paid time off available to an employee.

The employee must provide notice of his or her intent to take FMLA leave not less than 30 days before leave is to begin, or as soon as practicable. Medical certification is required for FMLA leave taken to care for an employee's spouse, son, daughter, or parent who has a serious health condition, or for the serious health condition of the employee.

Upon return from FMLA leave, an employee must be returned to the same position or to an "equivalent position with equivalent benefits, pay status, and other terms and conditions of employment".

An employee who takes FMLA leave is entitled to maintain health benefits coverage. An employee in a Leave Without Pay (LWOP) status may pay his/her share of the premiums on a current basis, or pay them upon return to work.

NOTE: The Master Agreement for the American Federation of Government Employees (AFGE) union allows for a total of 16 weeks of unpaid leave for the birth of a child.

For further information concerning FMLA leave, please refer to the facility's policy on absence and leave, or contact the Labor and Employee Relations Section of GLHRMS.

FAMILY FRIENDLY LEAVE ACT:

The Federal Employees' Family Friendly Leave Act (FFLA) allows employees to use sick leave to provide care for a family member as a result of physical or mental illness, injury, pregnancy, or childbirth; or medical, dental, or optical examinations. Sick leave may also be used for activities necessary for adoption proceedings, to attend the funeral of a family member, or to make funeral and burial arrangements necessitated by the death of a family member. FFLA sick leave **may not** be used for activities that take place after the family member's funeral has occurred, such as absences due to the disposition of the family member's estate, or return travel that occurs after the date of the funeral. Additionally, FFLA sick leave is **not** appropriate for babysitter problems, family court appearances, visiting colleges, or parent-teacher conferences. Absences of this nature must be requested as either Annual Leave (AL) or Leave Without Pay (LWOP), and are therefore subject to staffing and workload considerations.

A "family member" for purposes of the FFLA is defined as: your spouse; your parents; your spouse's parents; your children, including adopted children; your children's spouses; your brother or sister; your brother or sister's spouse; or any individual related by blood or affinity whose close association with an employee is equivalent to a family relationship.

The amount of leave that may be used in each leave year depends upon whether the employee is full time or part time, as well as whether he/she is a Title 5/Hybrid Title 38 employee, or a full Title 38 employee. **FULL-TIME TITLE 5 AND HYBRID TITLE 38:** These employees are entitled to use up to 104 hours of sick leave per leave year for FFLA purposes. **PART-TIME TITLE 5 AND HYBRID TITLE 38:** The amount these employees may use is pro-rated to equal 13 work days (e.g., a .375 employee may use 39 hours; a .5 employee may use 52 hours). **TITLE 38:** (a) Full-time Title 38 employees who are charged leave on an hourly basis are currently entitled to use 40 hours of sick leave per leave year for FFLA purposes; these employees may use an additional 64 hours for FFLA purposes, but only if the employee maintains a sick leave balance of 80 hours at all times. (b) Part-time Title 38 employees are entitled to use the amount of hours in their weekly tour of duty (e.g. a .5 may use 20 hours); these employees may also use an additional 8 work days for FFLA purposes, but only if the employee maintains at all times a sick leave balance that is equivalent to the number of hours in the employee's bi-weekly tour of duty. (c) Full-time Title 38 employees who are charged leave on a daily basis are entitled to use up to 5 administrative work days of sick leave per leave year for FFLA purposes. These employees may use an additional 8 work days of sick leave per leave year for FFLA purposes, but only if the employee maintains a sick leave balance of 10 days at all times.

Employees must be aware that Family Friendly sick leave cannot be authorized if the employee: (a) has no sick leave balance, or (b) has already used the maximum amount of Family Friendly sick leave available to them in that leave year.

Employees may use up to a total of 12 administrative weeks of accrued sick leave in a leave year to care for a family member with a serious health condition. Serious health conditions include such conditions as cancer, heart attacks, strokes, severe injuries, Alzheimer's' disease, pregnancy or childbirth with complications, or any condition for which treatment and recovery are not brief. NOTE: Full-time Title 38 employees who are charged leave on an hourly basis must maintain a balance of 80 hours of sick leave at all times in order to take advantage of this benefit; part-time Title 38 employees must maintain a balance equal to the number of hours in their bi-weekly tour of duty. For example, a part-time employee who works 16 hours per week (32 hours per pay period) must maintain a balance of 32 hours. Full-time Title 38 employees who are charged leave on a daily basis must maintain a balance of 10 days of sick leave at all times in order to take advantage of this benefit.

For further information concerning FFLA leave, please refer to the facility's policy on absence and leave, or contact the Labor and Employee Relations Section of GLHRMS.

EMPLOYMENT INFORMATION AND RECORDS

EQUAL EMPLOYMENT OPPORTUNITIES:

This Network is committed to providing equal employment opportunity for all employees and applicants for employment regardless of race, color, religion, sex, age, national origin, disability, sexual orientation, or status as a parent, and to maintaining a work environment that is free of any form of unlawful discrimination. This includes any form of workplace harassment – both sexual and non-sexual. All employees will have the freedom to compete on a fair and level playing field with equal opportunity for competition and will be provided prompt, fair, and impartial review and adjudication of complaints involving issues of employment discrimination. Equal opportunity covers all personnel/employment programs, management practices, and decisions. These include, but are not limited to, recruitment/hiring, merit promotion, transfer, reassignment, training and career development, benefits, and separations from employment. Discrimination against employees that is based on protected genetic information, or on information about a request for or the receipt of genetic services, is prohibited. No individual on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, or status as a parent, shall be excluded from participation in, denied the benefits of, or subjected to discrimination in a federally conducted education and training program or activity. Any federally-conducted programs or activities operations with VA funds will comply with established Limited English Proficiency (LEP) guidance.

JOB ANNOUNCEMENTS:

Vacancies at VA Medical Center Facilities:

Merit Promotion Announcements for jobs at each particular VA facility in this network are posted on official bulletin boards throughout that facility. The announcements can also be accessed from the VISN 12 home page, at <http://sharepoint.v12.med.va.gov/default.aspx>. On the left-hand side of the page click on "Employee Resources", then click on "Job Announcements" which is listed under "Human Resources." Vacancies are located under the listing for each facility.

Vacancies at all Federal agencies, including VA, throughout the country:

VA Medical Centers sometimes open their Merit Promotion Announcements to VA employees nationwide. These nationwide announcements, as well as all federal announcements, may be accessed from the VISN 12 home page at <http://sharepoint.v12.med.va.gov/default.aspx>. On the left-hand side of the page click on "Employee Resources", then click on "Job Announcements" which is listed under "Human Resources". On the right-hand side of the page, click on one of the links listed under "Links to vacancies other than VISN 12" to review announcements throughout the country. The link for "USA JOBS" contains vacancy listings for all Federal employers, while the other links contain vacancy listings strictly for VA positions.

EMPLOYMENT VERIFICATION FOR FINANCIAL INSTITUTIONS:

All employment and salary verifications for financial institutions must now be processed through **EMPLOYEE EXPRESS**. You must call **EMPLOYEE EXPRESS** at 1-800-414-5272 to receive a special, one-time only authorization code for your lender. **You will need your Employee Express Personal Identification Number (PIN) to do this.** If you cannot locate your PIN, please call the **EMPLOYEE EXPRESS** toll-free number listed above to have **EMPLOYEE EXPRESS** issue a new PIN to you.

After the code has been received, give it to your lender along with the following:

- The VA's employer identification code (which is 10208)
- Your social security number
- Employee Express telephone number

Lenders can verify your employment and salary in one of two ways – As a member of “The Work Number for Everyone”, or as a non-member. If your lender is a member, they will know the member telephone number. Non-member lenders must call 1-900-555-9675, and will be charged a fee. Employees are responsible for providing the necessary information to their lender. Any employment/salary verification requests that are incorrectly received in Human Resources or Payroll will be returned to the lender unprocessed; this may result in a delay in obtaining the credit approval that you are seeking.

CHANGE OF ADDRESS:

If you move, it is **your** responsibility to update your official address of record (the address that is on file with Human Resources). If you fail to ensure that your official address of record is correct, you may not receive important mailings related to your Federal employment and benefits, such as from TSP, FEGLI, FEHB, FEDVIP and Social Security.

Changes of address must be made using **EMPLOYEE EXPRESS**. You may call **EMPLOYEE EXPRESS** at 1-800-414-5272, or access it online at <http://www.employeeexpress.com>. **You will need your Employee Express Personal Identification Number (PIN) to do this.** If you cannot locate your PIN, please call the **EMPLOYEE EXPRESS** toll-free number listed above to have **EMPLOYEE EXPRESS** issue a new PIN to you.

MILITARY DEPOSITS:

Prior to 1957, when a federal employee retired from civilian service, his/her prior military service was used in computing the retirement annuity. Effective January 1, 1957, when the military began deducting Social Security from military wages, the format for calculating retirement annuities was changed to avoid giving double credit for a single period of time. Federal employees who retired prior to becoming eligible for Social Security received credit for their military service until age 62. At that point (if eligible for Social Security) their annuity was recalculated, omitting their military service. In 1982, Congress enacted a law giving Civil Service Retirement System (CSRS) employees the opportunity to make a deposit into the retirement fund prior to their retirement in order to receive credit for their military service under both the CSRS and Social Security. Federal Employees' Retirement System (FERS) employees may also take advantage of this option.

RETIRED MILITARY EMPLOYEES: If you are planning to waive your military retired pay and combine your military and civilian time for Federal Retirement, you must make the deposit required for the retirement plan under which you are covered (CSRS or FERS).

For more information on military deposits, or to obtain the necessary paperwork and instructions for requesting a deposit estimate, call the Benefits and Records Section of GLHRMS.

EMPLOYEE TRAINING RECORDS:

Employees are responsible for keeping their education/training records up to date. Employee Education is responsible for coding appropriate data into the employee education tracking program. It is recommended that you keep a copy of your documents that you send to Employee Education for coding until you verify that the information has been coded into your electronic training record. Use the following as a guide to determine when you need to provide additional information to Employee Education:

- (a) **INTERNAL VA-SPONSORED PROGRAMS:** Information is entered into your record without additional employee input when you sign in or are badge-scanned at the door;
- (b) **EXTERNAL VA-FUNDED (tuition/approved leave) COURSES/PROGRAMS:** Information is coded when employee submits completed forms and appropriate attendance certification;
- (c) **ONLINE VA-SPONSORED PROGRAMS:** An online program must be successfully completed to receive credit. After completing the program, print out the certificate of completion and keep it with your other employment records. Credit for completion of the program is imported in TEMPO or the Learning Management System (LMS) within one week of completion.
- (d) **EXTERNAL PERSONALLY-FUNDED, OR NO FEE COURSES/PROGRAMS:** Contact the Education Liaison in your department to obtain a TEMPO New Course Request Form.. The completed form, along with a copy of the certificate of course completion, is to be sent to the TEMPO Coordinator in Employee Education at your facility.

Records of formal education are not maintained in the employee education tracking program UNLESS partially or fully funded under VANEED, EDRP or another VA program. Coding of these types of education is done when grades and receipts are received in Employee Education. Employees completing additional formal education (high school, GED, college degrees) should update their official records by obtaining a new Employee Education Data Form from Human Resources. Employees should submit the completed and signed form to their local Human Resources office for processing. College or university credits must be supported by official transcripts, which are filed in your Official Personnel Folder.

If you have any questions relating to your education/training records, please consult with your supervisor, your Education Liaison, or the Employee Education program at your facility.

FAIR LABOR STANDARDS ACT (FLSA):

The Fair Labor Standards Act (FLSA) is a Federal statute of general application that establishes minimum wage, overtime pay, child labor, and equal pay requirements that must be complied with under force of law.

Employees fall under the FLSA based on a comparison of the employee's duties and responsibilities with exemption criteria outlined in Office of Personnel Management (OPM) and VA guidelines. Employees are determined to be either exempt or nonexempt, as follows:

EXEMPT: Employees who are exempt are not covered by the provisions of the FLSA relating to minimum wage and overtime pay. These employees are characteristically engaged in work that is executive, administrative, or professional in nature.

NON-EXEMPT: Employees who are non-exempt are covered by the FLSA provisions regarding minimum wages and the mandatory payment for all hours worked. This group includes but is not limited to most clerical and technical employees, and non-supervisory Wage Grade (WG) employees. The FLSA requires payment for overtime (for hours in excess of 40 hours per week or 8 hours per day) for all hours actually worked by a nonexempt employee that the employer "suffers or permits". Exceptions to this

requirement have been granted for employees working under compressed work schedules. If you have any questions concerning overtime, please contact your supervisor.

EMPLOYEE COPY OF POSITION DESCRIPTIONS:

Upon beginning employment, the immediate supervisor must provide each new employee with a copy of his/her position description or functional statement. The immediate supervisor must also provide employees with a copy of the new position description or functional statement when the employee is promoted or reassigned into a new position. If you do not have a copy of your position description or functional statement, you should request one from either your immediate supervisor or the secretary for your department.

If you have questions or concerns relating to the accuracy of your position description, or would like to know if your position description is scheduled for review, please consult with your supervisor.

JOB-RELATED INJURIES/ILLNESSES AND WORKERS' COMPENSATION:

VISN 12 Medical Centers are committed to the maintenance of a healthy and productive workforce. Achievement of this goal requires the cooperation of all employees in utilizing safe work practices, exercising caution, identifying and reporting hazards, and following the established responsibilities and procedures when accidents and job-related injuries/illnesses occur. It is the policy of VISN 12 Medical Centers to provide appropriate treatment and assistance to job-injured employees. It is also our policy to return job-injured employees to work, either full duty or restricted duty as medically appropriate, as soon as medical conditions permit. Job-related injuries and illnesses must be reported to your supervisor and documented using the Automated Safety Incident Surveillance Tracking System (ASISTS). If the employee chooses to submit a CA-1 or CA-2 claim form, this must also be completed and electronically signed using ASISTS. For more information, see VISN Policy Memorandum 10N12-00-04 (R-2), "Job Related Injuries and Illnesses".

EMPLOYEE CONDUCT

ETHICAL CONDUCT:

To ensure that every citizen can have complete confidence in the integrity of the federal government, each federal employee shall respect and adhere to the fundamental principles of ethical service. Public service is a public trust, requiring employees to place loyalty to the Constitution, the laws, and ethical principles above private gain. All VA employees/staff are required by federal regulations to maintain the highest standards of conduct, and to avoid all potential conflicts of interest.

As VA employees, we are not permitted to enter into unauthorized financial or other transactions with patients. Any employee who enters into these, regardless of the amount involved, is subject to disciplinary action up to and including removal from employment.

An employee shall not, except as permitted by the Standards of Ethical Conduct, solicit or accept any gift or other items of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the Department of Veterans Affairs, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.

PATIENT ABUSE:

Our patients are our customers and must be treated with dignity and respect at all times. It is a fundamental and closely guarded policy of the VA that no patient is to be mistreated or abused in **any** way, physically or verbally, by any employee. Inquiry or investigation will be conducted in all instances of alleged abuse or mistreatment. Appropriate disciplinary action **MUST** be taken promptly where indicated. It is the responsibility of every employee to report incidents that may constitute patient abuse, and failure to do so will result in appropriate disciplinary action. Each facility has local policies regarding employee/staff conduct toward patients as well as management and reporting of suspected abuse and neglect cases.

REQUIREMENT TO REPORT VIOLATIONS OF CRIMINAL LAW:

As of April 10, 2003, upon the publication of 38 CFR 1.200 et seq., there is now a requirement for VA employees to report violations of criminal law.

The following bullets highlight the CFR requirements:

- VA employees with knowledge or information about actual or possible violations of criminal law related to VA programs, operations, facilities, contracts, or information technology systems shall immediately report such information to their supervisor, any management official, or directly to the Office of the Inspector General (OIG).
- Such information will be reported by VA management officials to the VA police component with the responsibility for that VA station or facility in question. If no VA police component has jurisdiction over the offense, the information will be reported to Federal, state, or local law enforcement officials, as appropriate.

Criminal matters involving felonies will also be immediately reported to the OIG's Office of Investigations.

CONFIDENTIALITY OF SENSITIVE INFORMATION:

As VA employees, it is our responsibility to protect the confidentiality of all patient information. This responsibility extends to **all** employees, and not only to those who provide actual patient care or maintain medical records. Unless you have a specific purpose related to your job responsibilities, you **may not** access patient medical records, including your own, even if you are a veteran. In addition, any patient information, whether overheard, noticed at a copy machine or desk, read during hand carry, seen in correspondence, or otherwise, **must** be kept confidential by all employees. We must not discuss patient information with anybody when off duty. When on duty, we must refrain from discussing our patients with **anybody** who does not have a "need to know". Increased diligence must be exercised in protecting patient information in cases where patients have sensitive medical conditions and where the inappropriate disclosure of information could be medically, psychologically, socially, or economically harmful. Our patients have a legal right to privacy and we, as their caregivers, have a legal and moral responsibility to protect that right. Unauthorized access or disclosure of confidential patient information may result in disciplinary action.

Moreover, all VA employees have a responsibility to protect the confidentiality of employee information. You **may not** access personnel, medical, or other employee records, including your own, unless you require specific information related to your job responsibilities. Employee information **must** be kept confidential and not discussed with or disclosed to anybody who does not have a "need to know". Unauthorized access or disclosure of confidential employee information may result in disciplinary action.

All employees are responsible for safeguarding and keeping confidential their VA computer access codes. Employees **must not** share their codes with anybody, nor should they be written down and left where others can access them. These actions constitute a breach of information security for which disciplinary action may be taken.

The Department of Veterans Affairs has heightened the awareness of patient and employee confidentiality and information security by mandating annual cyber security and privacy training for all computer users. Each Medical Center has a full-time FISO (Facility Information Security Officer) to address matters pertaining to the security of sensitive information created or stored in, or printed from, the VA information systems. Additionally, each facility has a Privacy Officer who is responsible for overseeing the confidentiality of patient data in a hard-copy format such as with Releases of Information or with letters sent to veterans clarifying our fee services.

Any suspected breaches of information security must be reported (if even anonymously) to the FISO at your facility. Suspected privacy violations should be reported to the Privacy Officer at your facility.

COMPLIANCE AND BUSINESS INTEGRITY PROGRAM:

VHA's Compliance and Business Integrity Program is an oversight function designed to assist VHA in complying with applicable laws, regulations, policies, and standards of business practice. Employees and users of the Computerized Patient Record System (CPRS) are expected to participate in compliance training annually and to comply with policy. Employees should understand and learn their role in compliance after completing orientation, or after completing the online tutorial "Compliance and Business Integrity (CBI) Program". Compliance levels of participation will vary based upon your job and level of responsibility. The online tutorials can be found on the intranet by accessing the VA Online Learning Center at <http://sharepoint.v12.med.va.gov/Employee%20Education/default.aspx>.

Compliance issues may be reported through the Compliance and Business Integrity Reporting and Tracking System (CIRTS) helpline at **1-866-842-4357**. If you need more information about the Compliance Program, questions can be directed to your supervisor or to the Compliance Officer for your facility.

SEXUAL HARASSMENT:

It is the policy of the Department of Veterans Affairs and this Medical Center to maintain a work environment that is free from sexual harassment and intimidation. Sexual harassment is unacceptable conduct in the workplace, and **it will not be tolerated**. Individuals who engage in sexual harassment will be subject to appropriate disciplinary action.

WORKPLACE VIOLENCE PREVENTION:

VISN 12 has a zero tolerance for violent, threatening, or intimidating behavior in the workplace. This includes all Community Based Outpatient Clinics and Veteran Assistance Centers that are under the charge and control of VISN 12. VISN employees who engage in workplace violence will be subject to appropriate disciplinary action. For further information regarding the prevention of workplace violence, please see VISN 12 Policy Memorandum 10N12-03-04 (R-1).

EMPLOYEE FINANCIAL OBLIGATIONS:

The policy of the government on employee debts is plain and simple. An employee is expected to meet all just financial obligations, especially those such as federal, state, or local taxes that are imposed by law. A "just financial obligation" means one that is rightfully yours to pay. This may be taxes, a bill you admit you owe, or one which a court has judged you duty-bound to pay, including child support. You are expected to meet these obligations in a timely manner so that you do not bring discredit on the government as your employer. The failure to pay just financial obligations in a proper and timely manner can result in disciplinary action and possibly even removal from employment. **GOVERNMENT EMPLOYEES' PAY IS SUBJECT TO GARNISHMENT FOR ALL CREDITORS' JUDGEMENTS.**

POLITICAL ACTIVITIES BY FEDERAL EMPLOYEES:

The Hatch Act provides certain restrictions regarding political activities by federal employees. The restrictions apply whether the employee is on duty, off duty, or on leave.

Federal employees **may**: (1) assist in voter registration drives; (2) be a candidate for public office in **nonpartisan** elections; (3) express opinions about candidates and issues; (4) contribute money to political organizations; (5) attend political fundraising functions; (6) attend and be active at political rallies and meetings; (7) join and be an active member of a political party or club; (8) sign nominating petitions; (9) campaign for or against referendum questions, constitutional amendments, or municipal ordinances; (10) campaign for or against candidates in partisan elections; (11) make campaign speeches for candidates in partisan elections; (12) distribute campaign literature in partisan elections; (13) hold office in political clubs or parties. If during duty time, employees must be on approved annual leave to participate in these activities.

Federal employees **may not**: (1) be a candidate for public office in a **partisan** election; (2) solicit or receive political contributions; (3) solicit or discourage political activity of anyone with business before their agency; (4) use official authority to influence or interfere with an election; (5) engage in political activity while on duty, in a government office, wearing an official uniform, or using a government vehicle; (6) wear partisan political buttons while on duty.

Hatch Act violations are extremely serious, and violators will be subject to removal from employment. Employees with questions regarding involvement in political activities should contact their supervisor **before** engaging in the political activity, to ensure the legality of activities.

VA DRUG-FREE WORKPLACE PROGRAM:

VA policy requires the workplace to be free from illegal use, possession, or distribution of controlled substances by officers and employees of the VA. Any illegal use, possession, or distribution of controlled substances will be promptly dealt with in accordance with legal and administrative disciplinary procedures. The VA Drug-Free Workplace Program provides for drug testing under the following circumstances: when the employee occupies a testing-designated position (TDP); when there is a reasonable suspicion that the employee uses illegal drugs, either on or off duty; when investigation of an injury, illness, or unsafe or unhealthy practice meets certain criteria; as a follow up after participation in the Employee Assistance Program (EAP); testing of applicants for testing-designated positions; or on a voluntary basis. An employee who refuses to undergo drug testing when appropriately directed will be subject to disciplinary action. An applicant who refuses to undergo drug testing will not receive an offer of employment.

FAMILY MEMBERS IN THE WORKPLACE:

To restate the hospital's policy regarding family members including spouses/children/elderly and pets in the workplace; a. Family members of employees are not allowed at the work site while the employee is in the performance of their duty. b. Family members in the hospital presents increased safety hazards and require monitoring at all times. The presence of family members in the workplace potentially places them in jeopardy, increases safety hazards, puts an undue burden on the service involved, may expose patients and employees to communicable diseases, and may interrupt work performance of employees. c. This policy does not preclude bringing family members to the hospital for special events, such as: award ceremonies, approved volunteer or educational programs. Anyone can be here under these conditions; if a child or pet they must be under the supervision and direction of a responsible adult, other than an on-duty employee.

It is the responsibility of each employee to make appropriate arrangements for family care to assure that family members are not brought to the workplace during working hours, when occasional emergency arrangements for family care need to be made a request for unplanned annual leave may be appropriate.

YOUTH VOLUNTEERS AT THE VA (summer and school breaks):

As in the past, we are once again encouraging high school students to come and volunteer here at the VA during the summer. This is a great opportunity for them to have meaningful work experiences in a positive environment that will look great on their college applications. There are several types of opportunities including helping out in clinics and offices, answering phones and clerical work. Computer and typing skills are in high demand. There will also be opportunities to help escort veterans to appointments and activities and deliver things for Supply, the Mailroom, the Warehouse, or VRU. In several instances, they will be taking the place and doing the same jobs as the students do during the school year.

Many of our employees' younger children volunteer during the summer and that is acceptable. They are rarely placed in the same area as their parents. Each case is individual and Community Affairs decides the location where that student is best needed. Students have to be at least 12 years old to volunteer and places for that age are carefully chosen, the minimum age to volunteer on the wards is 14.

Any student wishing to volunteer for the summer should contact Community Affairs at 224-610-3714.

LIMITED PERSONAL USE OF GOVERNMENT OFFICE EQUIPMENT:

VA Directive 6001 defines acceptable, limited conditions for VA employees' personal use of Government office equipment, including computers. It states that employees have no inherent right to use Government office equipment for other than official activities, but recognizes that VA employees are responsible individuals. Therefore, it provides for limited personal use of Government office equipment *only* during employee's non-work time and with supervisory approval. (This includes use of the Internet for personal browsing.)

VA Directive 6001 states that this personal use *must not* result in loss of employee productivity, or interference with official/assigned duties. Furthermore, it must result in only *minimal additional expense* to the Government (e.g. telephone charges, telecommunications traffic, use of paper, ink or toner, wear and tear on equipment, transmissions impact, etc).

Authorized use of Government resources, including computer Internet access, includes: employee checking their Thrift Savings Plan, seeking employment, or scheduling a medical appointment. Employees must be aware that "authorized" personal use means that the activity takes place during the employees' non-work time. That is defined in VA Directive 6001 as "time when the employee is not otherwise expected to be addressing official business" - for example, during off-duty hours such as before or after a workday (subject to local office hours), lunch periods, authorized breaks, or weekends or holidays on which the employee is not scheduled to work (if employees' duty station is normally available at such times). Supervisory approval is required.

Misuse or inappropriate personal use of Government office equipment includes, for example, any personal use that can cause congestion, delay, or disruption of service to any Government system or equipment; creation, copying, transmission or retransmission of chain letters or other unauthorized mass mailings regardless of subject matter; personal phone calls made on duty which could reasonably have been made at another time, etc.

Other specific examples of inappropriate use include: (1) any personal use that could cause congestion, delay, or disruption of service to any Government system or equipment, such as continuous data streams, video, sounds, or other large file attachments; (2) using Government systems as a staging ground or platform to gain unauthorized access to other systems; (3) the creation, copying, transmission, or retransmission of chain letters or other unauthorized mass mailings regardless of the subject matter; (4) use for activities that are illegal, inappropriate, or offensive to fellow employees or the public such as hate speech, or material that ridicules others on the basis of race, creed, religion, color, sex, disability, national

origin, or sexual orientation; (5) the creation, downloading, viewing, storage, copying, or transmission of sexually explicit or sexually oriented materials; (6) the creation, downloading, viewing, storage, copying, or transmission of materials related to gambling, illegal weapons, terrorist activities, and any illegal or otherwise prohibited activities; (7) use for commercial purposes or in support of “for profit” activities or in support of other outside employment or business activity (e.g. consulting for pay, sales or administration of business transactions, sale of goods or services); (8) engaging in any outside fundraising activity, endorsing any product or service, or engaging in any prohibited partisan political activity; (9) participating in any lobbying activity, without authority; (10) use for posting agency information to external news groups, bulletin boards, or other public forums without activity, including any use that could create the perception that the communication was made in the employee’s official capacity as a Federal Government employee, or uses that are at odds with the Agency’s mission or positions; (11) any use that could generate more than minimal additional expense to the Government; (12) the unauthorized use, reproduction, transmission, or distribution of any controlled information including computer software and data, that includes privacy information, proprietary data, or export-controlled software or data.

Unauthorized or improper use of Government office equipment, including computer hardware/software, could result in loss of use or limitations on use of equipment, disciplinary or adverse actions, criminal penalties, and/or employees being held financially liable for the cost of improper use.

VA Directive 6001 in no way limits VA personnel in the use of Government office equipment, including information technology, for official activities.

For more information regarding this issue, please go to the VA Publications site at: <http://vaww.va.gov/vapubs> to access VA Directive 6001.

SALES AND FUNDRAISING ACTIVITIES:

Fundraising activities to be conducted by VA employee organizations on VA property must receive approval in advance from the Director of that facility. The use of official duty time by employees to sell goods or services for personal gain, or for other organizational fundraising, is prohibited. Similarly, the selling of goods or services on VA premises is prohibited unless such activities are appropriately coordinated through the VA Canteen. This prohibition includes sales of commercial products such as Avon or Tupperware, or sales of fundraising products such as Girl Scout cookies or Boy Scout popcorn or wreaths.

A VA employee may engage in private sales or fundraising activities outside the workplace, on off-duty time, as long as no sales or contributions are solicited from subordinate employees, or from someone who has interests that may be substantially affected by the performance or non-performance of the employee’s official duties. A VA employee may not use his or her title, position, authority, or government time to further private sales or fundraising efforts. Employees who are found to have engaged in prohibited sales or fundraising activities will be subject to appropriate disciplinary action.

► **[Click here for Title 5 Employees - TABLE OF PENALTIES](#)**

► **[Click here for Title 38 Employees - TABLE OF PENALTIES](#)**

EMPLOYEE RIGHTS AND ASSISTANCE

NOTICE OF RIGHT TO REQUEST UNION REPRESENTATION:

Employees in units represented by an exclusive labor organization have the right to request union representation at an investigation that is being conducted by management, if the employee reasonably believes the investigation may result in disciplinary action for him/her. American Federation of Government Employees (AFGE) and Service and Hospital Employees' International Union (SEIU) Local 150 bargaining unit members **must** be notified of this right, and given the opportunity to request union representation, before the investigation is conducted with the employee.

EEO DISCRIMINATION COMPLAINTS PROCEDURE:

Any current employee, former employee, or applicant for employment may file an Equal Employment Opportunity (EEO) discrimination complaint if he or she believes that employment-related discrimination based on race, color, religion, sex, national origin, age, disability, sexual orientation, status as a parent, or reprisal for prior EEO activity has occurred. To file a discrimination complaint, an individual who believes that he or she has been discriminated against must first contact an EEO Counselor at the Hines Office of Resolution Management (ORM) at 1-888-737-3361 within 45 calendar days of the date of the occurrence. For further information concerning EEO discrimination complaints, contact the EEO Program Manager at your facility.

THE NOTIFICATION AND FEDERAL EMPLOYEE ANTIDISCRIMINATION AND RETALIATION (NO FEAR) ACT OF 2002:

The No FEAR Act makes Federal agencies individually accountable for violations of anti-discrimination and whistleblower protection laws, and requires all federal agencies to post EEO data on their public web sites. The Act was signed May 15, 2002, by President Bush and became effective October 1, 2003.

All agencies are required to ensure that all employees are notified of their rights and responsibilities regarding the No FEAR Act.

The No FEAR Act:

- Reinforces that discrimination and retaliation in the workplace are illegal
- Requires all Federal agencies to post EEO data on their public web sites
- Identifies the rules and protections provided by federal anti-discrimination laws
- Identifies behaviors that are discriminatory under federal law
- Identifies behaviors that arise in retaliation to an employee's assertion of rights under federal law
- Restates the procedures for making a complaint regarding discrimination or prohibited personnel practices in the workplace
- Makes agencies responsible for payments in discrimination cases
- Is designed to fight discrimination and retaliation in federal agencies
- Is intended to assist Congress, federal agencies and the public to assess the extent to which agencies are living up to their equal employment opportunity responsibilities

WHISTLEBLOWER PROTECTIONS:

Under the Whistleblower Protection Act (WPA), it is a prohibited personnel practice for an agency to subject you to a personnel action if the action is threatened, proposed, taken or not taken, because of whistle blowing activities. Whistle blowing means disclosing information that you reasonably believe is

evidence of a violation of any law, rule, or regulation, or gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety. You are protected under the WPA if you make such a disclosure to the Office of Special Counsel (OSC) or to the VA's Office of Inspector General (OIG). You are also protected under the WPA if you make such a disclosure to any other individual or organization (e.g., a congressional committee or the media), provided that the disclosure is not specifically prohibited by law. Employees have a number of ways to challenge personnel actions they believe to be based on their whistle blowing activities. An employee may raise a whistleblower reprisal claim in connection with an appeal of a personnel action. Information about whistle blowing, appeal rights, and grievance procedures is available from GLHRMS. Some personnel actions believed by the employee to be based on whistle blowing activities may be appealed to the Merit Systems Protection Board (MSPB). If the matter is not otherwise appealable to the MSPB, the employee may raise the issue with the independent Office of Special Counsel (OSC). The OSC can be contacted by calling the OSC hotline at 1-800-872-9855, or by writing to: Office of Special Counsel, 1730 M Street, NW, Washington, DC 20036-4505. Employees may also raise a whistleblower reprisal claim with VA's Office of Inspector General (OIG). The OIG hotline number is 1-800-488-8244.

ALTERNATIVE DISPUTE RESOLUTION (ADR):

It is the policy of the VA Great Lakes Health Care System to promote resolution of disputes in an effective, timely, and efficient manner which maintains cooperative relationships between all parties. Whenever possible, traditional dispute resolution methods may be replaced by an ADR alternative. ADR should focus on conflict resolution and problem solving and foster a cooperative working relationship. Mediation is the preferred type of ADR for resolving VA workplace disputes. ADR processes and documents are to remain confidential among the involved parties, with very few need-to-know exceptions. The use of ADR by an aggrieved party to settle a dispute is voluntary. ADR will be encouraged except for the most egregious or frivolous matters. Aggrieved parties or complainants have the right to representation in accordance with applicable rules, regulations, and labor agreements. For more information about ADR, please refer to VISN Policy Memorandum 10N12-00-03, entitled "Alternative Dispute Resolution (ADR)".

EMPLOYEE ASSISTANCE PROGRAM:

The Employee Assistance Program provides counseling and support to employees whose work-related conduct/performance is being adversely affected by alcohol or drug abuse, emotional, marital, or other problems. EAP also provides debriefing intervention and support to employees who have been directly affected by a stressful event occurring during the course of their work.

Employees may obtain EAP assistance through: referral by their supervisor; referral by the Employee Health Clinic; or, they may contact the EAP Coordinator directly. EAP contacts are confidential.

► [Click here for VISN policy 10N12-07-02 on Reasonable Accommodation](#)

THE CHILD SUPPORT ENFORCEMENT (CSE) PROGRAM:

The goal of the Child Support Enforcement (CSE) Program is to ensure that children are financially supported by both parents. This federal/state/local effort locates parents, their employers, and/or their assets; establishes paternity if necessary; and establishes and enforces child support orders. The state CSE office will inform you of how to apply for enforcement services and what documents you must provide. The first step is to establish paternity or make a legal determination of who fathered the child. Establishing

the obligation and obtaining a child support order is the next step. The fair amount of child support that the non-custodial parent should pay is determined according to state guidelines. The last step is enforcement of the child support order. The CSE can help with collecting the money due, no matter where the non-custodial parent lives. At any of these steps, the CSE office may need to know where the non-custodial parent is living or where he/she is working.

Your CSE caseworker can tell you what information is needed to find an absent parent or his/her employer. The most successful way to collect child support is by direct withholding from the obligated parent's paycheck. Federal and State Income Tax refunds may also be withheld to collect unpaid child support. States also have laws that allow them to use: liens on real and personal property; orders to withhold and deliver property; or seizure and sale of property with the proceeds applied to the support debt. Many states also routinely report child support debts to credit bureaus.

For more information, contact the Payroll office or the state CSE office, or write for a Handbook on Child Support Enforcement. Free single copies can be requested from GSA Consumer Information Center, Department 533B, Pueblo, Colorado 81009. In most cases, the CSE offices are listed under the human services agency in the local government section of the telephone directory. Employees who wish to make voluntary child support payments should contact the Payroll office.

THE UNIFORMED SERVICES EMPLOYMENT AND REEMPLOYMENT RIGHTS ACT (USERRA):

The Uniformed Services Employment and Reemployment Rights Act (USERRA) protects the job rights of Federal employees who leave employment positions, whether voluntarily or involuntarily, to undertake military service. USERRA also prohibits employers from discriminating against past and present members of the uniformed services, as well as against applicants to the uniformed services.

Reemployment –

To have restoration rights to your Federal civilian job, you must:

- give your employer advance notice of your service (except when prevented by military circumstances);
- be released from the military under honorable conditions;
- serve no more than a cumulative total of 5 years (exceptions are allowed for training and involuntary active duty extensions, and to complete an initial service obligation of more than 5 years); and
- apply for restoration within the appropriate time limits.

Time limits to return to work (or apply for reemployment) vary depending upon the length of the period of service. If you are eligible to be reemployed, you must be restored to the job and benefits you would have attained if you had not been absent due to military service or, in some cases, a comparable job.

Right to Be Free from Discrimination and Retaliation –

If you:

- are a past or present member of the uniformed service; or
- have applied for membership in the uniformed service; or
- are obligated in the uniformed service, then an employer MAY NOT deny you any of the following because of this status:
 - initial employment;
 - reemployment;
 - retention in employment;
 - promotion; or
 - any benefit of employment.

Additionally, an employer may not retaliate against anyone assisting in the enforcement of USERRA rights, including testifying or making a statement in connection with a proceeding under USERRA, even if that person has no service connection.

Health Insurance Protection –

Employees who enter uniformed service can continue their health insurance for up to 24 months. If you do not elect to continue coverage during your military service, you have the right to be reinstated in the employer's health plan when you return to employment, without waiting period or exclusions (except for service-connected illnesses or injuries).

Life Insurance –

The life insurance of an employee who takes Leave Without Pay (LWOP) to enter uniformed service can continue for up to 12 months. Life insurance is provided at no cost to the employee. At the end of the 12-month period, the coverage terminates.

Retirement Credit –

All uniformed service performed for the United States is generally creditable for civil service retirement. Full-time National Guard duty is creditable for retirement purposes if it interrupts creditable civilian service and is followed by restoration after August 1, 1990. Credit for uniformed service after August 1, 1990, requires the employee to pay a military deposit. See "Military Deposits" under the Employee Benefits section of this notice.

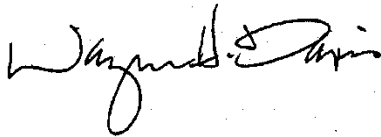
Enforcement –

The U. S. Department of Labor, Veterans Employment and Training Services (VETS) are authorized to investigate and resolve complaints of USERRA violations.

For assistance in filing a complaint, or for any other information on USERRA, contact VETS at **1-866-4-USA-DOL** or visit its website at <http://www.dol.gov/vets>.

If you file a complaint with VETS and VETS is unable to resolve it, you may request to have your case referred to the Office of Special Counsel (OSC) for representation.

You may also bypass the VETS process and bring a civil action against an employer for violations of USERRA. A notice regarding USERRA is posted on all official bulletin boards of this Medical Center. For USERRA information that is specific to Federal employees, go to <http://www.usajobs.opm.gov/ei54.asp>.

A handwritten signature in black ink, appearing to read "Wayne H. Davis". The signature is fluid and cursive, with the first name "Wayne" being more prominent.

WAYNE H. DAVIS
Manager, Great Lakes Human Resources Management Service

Distribution: All Employees